

REMARKS

The application now contains claims 3, 5-7, 30-38, 41 and 42. Claims 3, 5, 7, 29-38 and 42 have been amended. Claims 10, 14, 15, 24, 39 and 40 have been cancelled.

In the final office action, the Examiner indicated that claim 23 and dependent claims were patentable and that claim 39 contained patentable subject matter such that claims 3, 5 and 6 would be patentable if the limitation of claim 39 were added to them. Claims 3, 5 and 6 have been so amended. In addition claim 7 has been amended to include the subject matter of claim 39. This is believed to make it patentable as well. All other claims remaining in the application are dependent on independent claims 3, 5, 6 and/or 7 and are patentable for the same reason as their parent claims. Some of the claims have been amended to remove dependency from cancelled claims or to remove claims that are redundant in view of the amendments to the independent claims.

Applicants reserve the right to apply for a continuation application to claim the broader claims that have been narrowed.

The Examiner indicated that a terminal disclaimer was required with respect to U.S. Patent No. 5,759, 200 since these claims were unpatentable over the claims of claims 1-5 and 8-12 of that patent. Applicant respectfully traverses. All of the independent claims in the present application include the limitation that the target is hair and the second temperature is sufficient to remove the hair. **This** is a patentable difference over the claims of cited prior patent.

In view of the above remarks, applicant submits that the claims are patentable and that the application is ready for allowance. Notice to that effect is respectfully solicited.

Respectfully submitted,



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